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SOUTHERN DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

**Magistrate's Case No.**

## COMPLAINT FOR VIOLATION OF

21 U.S.C. 841(a)(1) BY

DEPUTY

## Unlawful Possession of a Controlled Substance

COUNT ONE

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

[Signature]

Signature of Complainant  
Special Agent  
U.S. Immigration and Customs Enforcement

Sworn to before me and subscribed in my presence, this 15th day of February, 2008.

February, 2008.

*Bob Gallagher*

United States Magistrate Judge

1  
2 **United States of America**  
3 **vs.**  
4 **Alma Cesilia CHAVEZ-Navarrete**

5 STATEMENT OF FACTS

6 On February 14, 2008, Immigration and Customs Enforcement (ICE) drug duty Special  
7 Agents received information that a Hispanic adult female with blonde hair had crossed the border  
8 with narcotics on her person from Mexico into the United States through the Otay Mesa, CA Port  
9 of Entry (POE) in a blue Toyota Celica with the first three digits of a Mexican license plate  
10 "BCP." The information was initially relayed to ICE agents through Customs and Border  
11 Protection Officer (CBPO) R. Reyes who made contact with a Source of Information (SOI) at the  
12 Otay Mesa POE. The SOI stated that the blue Toyota Celica was parked near the Otay Mesa  
13 POE in the United States. ICE and Drug Enforcement Agency (DEA) agents responded to the  
14 area in order to locate the vehicle.  
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17 At approximately 10:15 am, CBPO Reyes contacted ICE Special Agent (S/A) T. Koupal  
18 and stated that the SOI was willing to help agents locate the Hispanic female and the Toyota  
19 Celica. S/A Koupal along with San Diego Police Officer C. Navarro picked the SOI up from the  
20 Otay Mesa POE.  
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22 Once in the vehicle, the SOI stated that it was a Hispanic adult female with blonde hair  
23 driving a blue colored Toyota Celica with a Mexican license plate with the first three digits being  
24 "BCP." The SOI also stated that the female would be concealing the drugs in her waistband  
25 area. The SOI stated she would have approximately 2 pounds of methamphetamine concealed  
26 on her person.  
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1 Agents drove around a busy shopping area near the Otay Mesa POE looking for the  
2 vehicle. Approximately 15 minutes into their search, agents located a blue colored Toyota  
3 Celica with a Mexican license plate with the matching three digits of "BCP" occupied by a  
4 female. The vehicle was parked in a shopping area at the 2400 block of Las Americas Paseo  
5 near the Otay Mesa POE. Agents watched the vehicle for approximately three minutes and it  
6 began to pull away. Considering the exigency of the situation and a lack of man power agents  
7 decided to stop the vehicle. Agents boxed the vehicle impeding its travel and made contact with  
8 the driver Alma Cesilia CHAVEZ-Navarrete. For officer safety reasons CHAVEZ was removed  
9 from the vehicle and placed in handcuffs. San Diego Police Officer Navarro conducted a cursory  
10 pat down of CHAVEZ for weapons. Officer Navarro reported that he felt a hard square object in  
11 CHAVEZ's abdomen area. Officer Navarro and S/A Koupal asked CHAVEZ what was in her  
12 waistband. CHAVEZ shrugged conveying that she did not know. Agents lifted CHAVEZ's  
13 shirt a couple inches and observed a fish net girdle with square packages visible.  
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16 Agents detained CHAVEZ suspecting that she had drugs on her person, and transported  
17 her back to the Otay Mesa POE. Once at the Otay Mesa POE, ICE and CBP female personnel  
18 conducted a search of CHAVEZ's person and found two brown taped packages concealed in her  
19 waistband within the girdle. Agents extracted a white crystalline substance from one of the  
20 packages, and the substance field-tested positive for methamphetamine. The total weight of the  
21 methamphetamine was 0.78 kilograms.  
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23 **POST-MIRANDA INTERVIEW OF CHAVEZ:**

24 Post-Miranda, CHAVEZ agreed to waive her rights and make a statement without the  
25 presence of an attorney. CHAVEZ stated that she works for the Nestle Corporation delivering  
26 product to numerous convenience stores in Tijuana, Mexico. CHAVEZ stated that she had seen  
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1 a guy only known as "El Amigo" at one of the convenience stores she delivers to a few times  
2 over the course of the last six months. CHAVEZ stated El Amigo approached her about eight  
3 days ago and asked her if she would run an "errand" for him to "the other side." CHAVEZ  
4 asked El Amigo what he meant by "errand." CHAVEZ stated that El Amigo told her he would  
5 pay her \$1000 to smuggle two packages across the border into the United States. CHAVEZ  
6 stated that she asked El Amigo what was in the package, and El Amigo told her to just do it.  
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8 CHAVEZ agreed to smuggle the packages across the border into the United States.  
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